

7jgmtwoh (7/12)

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**

***In Re:*** Faraon nmn Russell and Erna Martha Russell  
***Debtor***

***Bankruptcy Case No.***  
98-44581-can7

**Gary D. Barnes**  
Plaintiff(s)

***Adversary Case No.***  
14-04107-can

v.

**Erna Martha Russell  
Gunther Russell  
Carol Russell-Beeley  
Betty A. Russell-Wilson  
Rodney G. Russell**  
Defendant(s)

**JUDGMENT**

The issues of this proceeding having been duly considered by the Honorable Cynthia A. Norton, United States Bankruptcy Judge, and a decision having been reached without trial or hearing.

**IT IS ORDERED AND ADJUDGED:** that as to Count I of the Complaint (i) the Pre-Petition Settlement Amount (\$5,115.66) is property of the bankruptcy estate and (ii) that the Trustee is entitled to administer such funds on behalf of the bankruptcy estate; IT IS THEREFORE BY THE COURT ORDERED that as to Count II of the Complaint (i) the Post-Petition Settlement Amount (\$3,734.97) is property of Defendant Erna Martha Russell; (ii) the Trustee is authorized to pay the Post-Petition Settlement amount to Defendant Erna Martha Russell; and (iii) the Trustee is discharged from any and all liability to defendants and their respective heirs, representatives, and assigns which arise out of or result from any claims to the Post-Petition Settlement Amount; IT IS THEREFORE BY THE COURT ORDERED that as to Count III of the Complaint (i) the Trustee is granted his reasonable attorneys fees and expenses incurred in connection with this action, such fees and costs to be assessed pro rata against the Pre-Petition Settlement Amount and the Post-Petition Settlement Amount; (ii) the Trustee is granted authority to file a separate motion requesting said fees and expenses; and (iii) the Post-Petition Settlement Amount shall not be distributed until a pro rata share of approved fees and expenses have been assigned against the Post-Petition Settlement Amount



Ann Thompson  
Court Executive

By: /s/ Jamie McAdams  
Deputy Clerk

Date of issuance: 12/23/14

Court to serve